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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

INFOSPAN, INC.,

Plaintiff,

v.

EMIRATES NBD BANK PJSC,

Defendant.

Case No. 8:11-CV-01062 JVS (ANx)

**EMIRATES NBD BANK PJSC'S
NOTICE OF CROSS APPEAL AND
CONDITIONAL CROSS APPEAL TO
THE UNITED STATES COURT OF
APPEALS FOR THE NINTH
CIRCUIT**

Pursuant to Federal Rules of Appellate Procedure 3 and 4(a)(3), notice is hereby given that defendant Emirates NBD Bank PJSC (“Emirates Bank” or “the Bank”) cross appeals and conditionally cross appeals to the United States Court of Appeals for the Ninth Circuit from the final judgment of the District Court for the Central District of California entered in this case on December 1, 2016, a copy of which is appended hereto as Exhibit A. Plaintiff InfoSpan, Inc. (“InfoSpan”) filed its Notice of Appeal on December 30, 2016, and this Notice of Cross Appeal and Conditional Cross Appeal is timely pursuant to Federal Rule of Appellate Procedure 4(a)(3). The Bank cross appeals the following district court order: Dkt. 698, appended hereto as Exhibit B. The Bank further conditionally cross appeals from the following district court orders, which would aggrieve the Bank if, but only if, the final judgment of the district court were to be set aside on appeal: Dkts. 96, 116, 172, 257, and 275. Copies of these foregoing Orders are appended hereto as Exhibits C, D, E, F, and G, respectively.

A Representation Statement identifying all parties to the action, along with the names, addresses and telephone numbers of their respective counsel, is attached hereto in accordance with Ninth Circuit Rules 3-2(b) and 12-2.

Dated: January 10, 2017

LATHAM & WATKINS LLP

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Daniel Scott Schecter
Nima H. Mohebbi

By /s/ Daniel Scott Schecter
Daniel Scott Schecter
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Representation Statement

Pursuant to Circuit Rule 3-2(b), Emirates Bank hereby submits the following Representation Statement, identifying all parties to the action along with the names, addresses, and telephone numbers of their respective counsel:

Plaintiff – Appellant InfoSpan, Inc.

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Defendant – Appellee and Cross-Appellant Emirates Bank

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